

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

BARBARA STEWART,

Plaintiff,

v.

MICHELE STEWART a/k/a Michele
Bouman-Stewart,

Defendant.

Civil Action: **1:18-cv-00201-GWC**

**AFFIDAVIT OF
MICHELE STEWART**

I, MICHELE STEWART, hereby swear, under the penalty of perjury, the following:

1. I am a Dutch citizen and a resident of Switzerland.
2. I reside at my home in Villars sur Ollon, in the Canton of Vaud and have resided in Switzerland for 24 years.
3. I have personal knowledge of the facts set forth herein.
4. Barbara Stewart ("Barbara") is my former mother-in-law, as I was married to her son William P. Stewart, III ("Tres").
5. Barbara recites in her complaint that she is a citizen of the United States with her principal residence in New York, but she fails to mention that she is also a citizen of Switzerland who owns several chalets in Villars sur Ollon, in the Canton of Vaud which is the same town in which I reside. A copy of Barbara's Swiss Passport is attached as Exhibit "1".
6. Although Barbara Stewart primarily resides in a New York City apartment at 418 East 59th Street, Apt #11A, New York, New York, 10022, from time to time she resides in one of her Swiss chalets which is very close to my home.



7. It is very disappointing that I am being dragged into Barbara's dispute with her ex-husband William P. Stewart, Jr. ("Bill"). I have maintained as much separation as possible from Barbara and Bill and I refused to be entangled in their extremely acrimonious divorce litigation which took more than seven (7) years to resolve.

8. Barbara is apparently frustrated with the results of her divorce case against Bill and for some inexplicable reason blames me and her Swiss attorney John Iglehart. I can only speculate that her animosity towards me relates to my own acrimonious divorce from her son Tres.

9. It is astounding to me that Barbara is now coming out many years later making wild claims regarding jewelry and claiming that I and her Swiss attorney John Iglehart failed or refused to cooperate with her in her divorce case.

10. Barbara is a multi-millionaire who owns real property in Switzerland and Bermuda. She owns shares in a Vietnamese flower distribution company worth more than \$50 million dollars in which she was an original investor.

11. As a citizen of Switzerland, Barbara has availed herself of the Swiss Judicial system on several occasions, including actions against John Iglehart in connection with her request for information apparently related to her divorce proceeding.

12. I do not live in the United States, nor do I maintain any real property in New York or the United States.

13. I am not employed and have little means by which to travel to defend this lawsuit in the Western District of New York.

14. I go to the United States approximately one time per year, for a maximum of ten (10) days to visit family.



15. Considering that Barbara is a citizen of Switzerland, maintains two chalets in Villars sur Ollon, very close to my home, and that she resided in Switzerland for approximately 30-40 years, and has millions of dollars, the filing of this lawsuit in the Western District of New York was obviously done to harass me and impose undue financial burdens upon me.

16. While I am prepared to defend any and all claims made by Barbara against me, including all claims in this lawsuit, I should not have to defend these claims in a foreign country's District Court that has absolutely no relationship whatsoever to the claims that have been made against me.

17. Defending against Barbara in the Western District of New York would be a particular hardship as the travel cost will be extensive.

18. Additionally, the documents referenced in her Complaint and the witnesses, including myself are located in Switzerland, not the United States.

19. I should not be forced to incur substantial expenses to have witnesses travel from Switzerland to the United States for depositions, and/or hearings or trials.

20. Any and all of the allegations set forth in her Complaint could have been filed in the Swiss Courts in the Canton of Vaud where I reside.

21. Defending these claims in Switzerland will be far less expensive for me and since Barbara is a citizen of Switzerland and maintains two homes in Villars sur Ollon, it would not be an undue hardship in any respect for her to bring her lawsuit against me in Switzerland.

22. Based on the foregoing, I am requesting that the Court dismiss all of the claims against me without prejudice to Barbara's right to assert them in a more appropriate forum in Switzerland.



Signed under the penalties of perjury.

Dated: March 19th, 2018



Michèle Stewart

Subscribed and sworn before me this 19 day of March 2018.





Legalisation No. 30'637.-

Without any responsibility as to the document's contents the undersigned, François Bianchi, Notary in Aigle for the Canton of Vaud, attests to the authenticity of the signature affixed above of: _____

Last Name: STEWART _____

First Name: Michèle _____

Domicile: Villars-sur-Ollon (Switzerland) _____

Supporting Document: signature comparison (presentation of an official document) _____

Aigle, March nineteenth two thousand and eighteen. _____





